

**MINUTES OF THE LAFAYETTE COMMON COUNCIL
FEBRUARY 5, 2001
REGULAR SESSION**

The Common Council of the City of Lafayette, Indiana met in regular session on Monday, February 5, 2001, at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Fisher called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Boehning, Klink, Meyer, Probasco, Campbell, Brown, Fisher, Roswarski, Rhoda

Absent: None

The City Clerk stated that there was a quorum present.

City Clerk Lisa Decker and City Attorney Eric Burns were present.

Councilman Campbell moved to approve the minutes from the January 8, 2001 regular session, Councilman Probasco seconded. The minutes were approved by unanimous voice vote.

The Clerk stated that there were no Presentations or Disposal of Claims or Presentations of Petitions or Communications.

The Clerk stated that the following reports are available in the Clerk's Office:

Clerk's Office Monthly – November – December 2000

Controller's Office Monthly – December 2000

Motor Vehicle Monthly – December 2000

Police Department Monthly – November and December 2000

Police Traffic Report – December 2000 and 2000 Annual Report

Miscellaneous Monthly Department Reports

Ordinances for Second Reading:

The Clerk read Ordinance 2001-01 (An Ordinance of the Common Council of the City of Lafayette, Indiana, Approving a Lease for Certain Public Improvements between the Lafayette Redevelopment Authority and the Lafayette Redevelopment Commission) by title only for second and final reading. Councilman Probasco moved for passage, Councilman Klink seconded. Sherry McLauchlan, Director of Development, explained the proposal for the construction of two new fire stations. Councilman Meyer inquired about the fire station that will replace the 5 points fire station and inquired about neighborhood concerns. Councilman Meyer inquired about traffic pattern studies for the site at 18th and South Streets. Jeff McCoy, Fire Chief, stated that the Stewart Kline Company has looked at those issues and there were no perceived problems. Councilman Meyer inquired about the slope at the rear of the building and any difficulties that may be caused by adjoining property owners. Chief McCoy stated that he is not aware of any concerns that have been raised about those issues. Ordinance 2001-01 passed 8-0 on a roll call vote on second and final reading.

Ordinances for First Reading:

The Clerk read Ordinance 2001-03 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate, from I-3 to GB, Petitioner, T & T Rentals, LLC) by title only for first and final reading. Councilman Meyer moved for passage, Councilman Rhoda seconded. Jim Grieves, attorney for the petitioner, stated that he was available for questions. Councilman Rhoda stated that the Area Plan Commission staff was hesitant to recommend this rezone because a study has not been conducted for the zoning in this area, however Councilman Rhoda felt that GB is appropriate for the property. Councilman Meyer stated that he feels that this is appropriate due to the circumstances of the widening of the road and the inability of the property owner to continue its business at their current location. Ordinance 2001-03 passed 8-0 on a roll call vote on first and final reading.

The Clerk read Ordinance 2001-04 (An Ordinance Amending Chapters 1 and 4 and Appendix D of Ordinance No. 97-51 being the Unified Zoning Ordinance of Tippecanoe County, Amendment 20) by title only for first and final reading. Councilman Rhoda moved for passage, Councilman Brown seconded. Councilmen Rhoda and Boehning spoke on behalf of the ordinance. Councilman Klink stated that he is in favor of the clarification of the section pertaining to billboards. Ordinance 2001-04 passed 8-0 on a roll call vote on first and final reading.

The Clerk read Ordinance 2001-05 (An Ordinance Pertaining to School Zones) by title only for first reading. Councilman Rhoda moved for passage, Councilman Boehning seconded. Councilman Rhoda stated that this proposal changes references to the designation of school zones. Councilman Rhoda moved to amend the proposal to read "Section 7.04.020. The speed limit on all streets designated as a school zone shall be twenty (20) miles per hour during the time of day posted in each school zone, after proper designation as such by duly erected signs". Councilman Campbell seconded. Councilman Campbell inquired about the city's ability to change the speed limit on a state highway such as South Street. Councilman Klink stated that there is a flashing light indicating a 20-mile an hour speed limit currently. Gene Reed, Police Chief, addressed several questions. The amendment passed by unanimous voice vote. Opal Kuhl, City Engineer, stated that she had contacted the Crawfordsville division of the Indiana Department of Transportation and explained the procedure to change the speed limits on state highways. Ordinance 2001-05, as amended, passed 8-0 on a roll call vote on first reading.

Resolutions:

The Clerk read Resolution 2001-07 (A Resolution Repealing Resolution 81-24 Requesting the Creation of Tippecanoe County Child Care Commission) by title only for first and final reading. Councilman Campbell moved for passage, Councilman Boehning seconded. Eric Burns, City Attorney, explained that he had been contacted by the County Attorney to request the repeal of the commission. Elizabeth Lindsey, Chairman of the Commission, stated that the county had cut the funding to the commission therefore the decision to disband the commission was made. Councilman Probasco inquired about the commission. Ms. Lindsey stated that originally the commission was set up as a policing body but due to legal restrictions they became an education entity. Ms. Lindsey stated that in her opinion the commission is no longer necessary. Councilman Probasco expressed his concern about disbanding the commission. Ms. Lindsey explained that the commission had no legal authority to oversee childcare operations. Mr. Burns stated that the oversight over childcare facilities lies in the Division of Family and Children. Councilman Roswarski also expressed his concern over the repeal of the commission. Councilman Meyer inquired about the history of the power of the commission. Ms. Lindsey

stated that for many years the commission only conducted educational functions. Discussion ensued. Councilman Brown asked if any other agency would pick up the educational functions of the commission. Ms. Lindsey stated that other agencies have expressed interest in education. Councilman Boehning inquired about the requirements placed on child care operations. Ms. Lindsey stated that licensed facilities are required to attend continuing education each year, but many facilities are not licensed. Ms. Lindsey stated that the time had come to discontinue the commission. Councilman Campbell stated that the city does not have a choice in the continuation of this commission since the city is not the funding agency but that the city may want to consider taking up the issue on a city wide basis. Councilman Rhoda requested that the council President assign this issue to a council committee to study this issue. Councilman Meyer asked Mr. Burns if the state has pre-empted local authority on oversight authority over childcare facilities. Councilman Probasco asked if council should pass this proposal before the county. Councilman Campbell moved to table the Resolution until time uncertain, Councilman Probasco seconded. The motion to table passed by unanimous voice vote. President Fisher assigned the issue to the Public Health Welfare, and Safety Committee.

The Clerk read Resolution 2001-08 (A Resolution of the City of Lafayette, Indiana, Common Council Pledging the County Economic Development Income Tax Revenues Anticipated to be Received by the City of Lafayette Redevelopment Commission to make Lease Rental Payments to the City of Lafayette Redevelopment Authority -Fire Stations) by title only for first and final reading. Councilman Probasco moved for passage, Councilman Boehning seconded. Ms. McLauchlan explained the proposal. Resolution 2001-08 passed 8-0 on a roll call vote on first and final reading.

The Clerk read Resolution 2001-09 (Additional Appropriation of Insurance Claims - Police Department) by title only for first and final reading. Councilman Campbell moved for passage, Councilman Probasco seconded. Mona Holdcraft, City Controller, stated that the city has received 4 checks for reimbursements from insurance companies for damage to police department vehicles. Councilman Campbell asked if this process could be sped up to make the necessary repairs. Ms. Holdcraft stated that the repairs are being made because there is money currently in the proper accounts. Resolution 2001-09 passed 8-0 on a roll call vote on first and final reading.

Tabled:

President Fisher stated that Ordinance 2000-20 (An Ordinance Vacating Gravier Street in the City of Lafayette, Indiana, Petitioner, City of Lafayette) would remain tabled until time uncertain.

Councilman Campbell moved to remove Resolution 2001-02 from the table, Councilman Probasco seconded. The motion passed by unanimous voice vote. The Clerk read Resolution 2001-02 (A Resolution Approving the Agreement between the Lafayette Firefighter's and the City of Lafayette) by title only for first and final reading. Councilman Probasco moved for passage, Councilman Brown seconded. Mr. Burns stated that he would address any questions and stated that Kathy Wade, Human Resources Director, and Michael Schwarz, President of the Firefighters Union were also available. Resolution 2001-02 passed 8-0 on a roll call vote on first and final reading.

Councilman Campbell moved to remove Resolution 2001-03 from the table, Councilman Roswarski seconded. The motion passed by unanimous voice vote. The Clerk read Resolution 2001-03 (A Resolution Approving the Agreement between the International Brotherhood of Electrical Workers Local No. 1393 and the City of Lafayette) by title only for first and final

reading. Councilman Meyer moved for passage, Councilman Roswarski seconded. Mr. Burns stated that he and Ray Simpson, IBEW, were available for questions. Mr. Burns stated that the words hourly rates needed to be indicated in Appendix A. Councilman Campbell moved to amend the proposal to include the words hourly rates, Councilman Rhoda seconded. Mr. Simpson stated that the reference to the IBEW was incorrect and it should be Local 668. Mr. Burns asked that the IBEW local number change be treated a scrivener's error. The amendment passed by unanimous voice vote. Resolution 2001-03, as amended, passed 8-0 on a roll call vote on first and final reading.

There were no Reports of Standing or Special Committees.

There was no Report by Mayor Heath.

There was no Miscellaneous or New Business.

Reports of Councilmen: Councilman Rhoda stated that he has not been stopped by a train lately!

Councilman Campbell stated that there would be a fundraiser for the Joe Heath Mental Attitude Scholarship Fund at the Jefferson High School - West Lafayette High School basketball game on March 2, 2001 and encouraged Council participation.

President Fisher noted that the council needed to confirm Mayor Heath's re-appointment of Ellie Kaplan to the Human Relations Commission. No objections from council were heard concerning this re-appointment.

President Fisher encouraged Council attendance at the weekly meetings with Department Heads held after the Board of Public Works and Safety meetings.

President Fisher stated that there is a problem of snow removal on sidewalks in his district and discussed placing the statute in the Ordinance Violations Bureau. Councilman Campbell inquired about the current requirements in the city code.

President Fisher thanked Bernardin, Lockmueller and Associates and Ms. Kuhl and her staff for their work on the S.R. 26 and S.R. 38 corridor traffic study. President Fisher stated that traffic light timing has been modified thus making the flow of traffic much better along the entire Sagamore Parkway corridor.

There was no Public Comment.

There being no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Probasco seconded. The motion to adjourn passed by unanimous voice vote.

Time being 7:59 p.m.

Minutes prepared by Lisa Decker, City Clerk